

**CITY OF DELTONA, FLORIDA
REGULAR CITY COMMISSION MEETING
TUESDAY, JANUARY 20, 2015**

A Regular Meeting of the Deltona City Commission was held on Tuesday, January 20, 2015 at the City Hall Commission Chambers, 2345 Providence Boulevard, Deltona, Florida.

1. CALL TO ORDER:

The meeting was called to order at 6:30 p.m. by Mayor Masiarczyk.

2. ROLL CALL:

Mayor	John Masiarczyk	Present
Vice Mayor	Nancy Schleicher	Present
Commissioner	Heidi Herzberg	Present
Commissioner	Mitch Honaker	Present
Commissioner	Chris Nabicht	Present
Commissioner	Diane Smith	Present
Commissioner	Nancy Soukup	Present
Acting City Manager	Dale Baker	Present
City Attorney	Becky Vose	Present
City Clerk	Joyce Raftery	Present

Also present: Planning and Development Services Director Chris Bowley; Acting Deputy City Manager Gerald Chancellor; and VCSO Captain Brannon.

3. INVOCATION AND PLEDGE TO THE FLAG:

Invocation Presented by Commissioner Honaker – Franciscan Father Blasé Romano, Villa Madonna Friary, New Smyrna Beach & Assisting Priest at Saint Clare Catholic Church.

The National Anthem was sung by Yami and Yani Toro who are students at University High School.

4. APPROVAL OF MINUTES & AGENDA:

A. Minutes:

1. Approval of Minutes – Special City Commission Meeting of January 5, 2015 and Regular City Commission Meeting of January 5, 2015.

Commissioner Honaker requested that the following corrections be made to the minutes for the Special City Commission Meeting, on Page 3, Line 9, the word “swearn” should be “sworn” and in the Regular City Commission Meeting, on Page 1, Line 12, Commissioner Barnaby was marked present and he was not at the meeting.

Commissioner Smith requested that cities be added to the public participation portion of the minutes when a person gives their name and address so that the record accurately reflects the entire address of the person speaking in the Special and the Regular City Commission Meetings. She stated in the Special City Commission Meeting on Page 2, Number K, Mr. Conner’s address should be “John Anderson Drive” and Number M, the resident’s last name is misspelled and should be “Ms. Suitt-Green”.

1 **Motion by Commissioner Nabicht, seconded by Commissioner Honaker, to approve the minutes**
2 **of the Special City Commission Meeting of January 5, 2015 and Regular City Commission**
3 **Meeting of January 5, 2015 as amended.**

4
5 **Motion carried unanimously with members voting as follows: Commissioner Herzberg, For;**
6 **Commissioner Honaker, For; Commissioner Nabicht, For; Commissioner Smith, For;**
7 **Commissioner Soukup, For; Vice Mayor Schleicher, For; and Mayor Masiarczyk, For.**

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9 **B. Additions or Deletions to Agenda:** None.

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11 **5. PRESENTATIONS/AWARDS/REPORTS:**

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13 **A. Presentation – Quarterly Reports of City Advisory Boards/Committees.**

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15 Mayor Masiarczyk stated the Quarterly Reports are going to be in written form and are attached.

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17 **Motion by Vice Mayor Schleicher, seconded by Commissioner Herzberg to accept the reports as**
18 **written.**

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20 **Motion carried unanimously with members voting as follows: Commissioner Herzberg, For;**
21 **Commissioner Honaker, For; Commissioner Nabicht, For; Commissioner Smith, For;**
22 **Commissioner Soukup, For; Vice Mayor Schleicher, For; and Mayor Masiarczyk, For.**

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24 **B. Presentation of Certificates of Recognition and Thanks, to the area high school Health**
25 **Academy students who assisted with weight statistics and participant sign-ins, for the Mayor's**
26 **Get Fit for 15' Fitness Challenge.**

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28 Mayor Masiarczyk and the Commission presented Certificates of Recognition to Deltona High School,
29 Pine Ridge High School and University High School Health Academy students who assisted with the
30 Mayor's Get Fit for 15' Fitness Challenge.

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32 **6. CITY COMMISSION SPECIAL REPORTS:**

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34 Commissioner Herzberg reported on the River of Lakes Heritage Corridor Committee Meeting held
35 on Monday, January 12th. She stated that more DVD's promoting the corridor were ordered, a
36 television will be installed in the Sanford Amtrak Station customer service area to play the DVD
37 instead of the Daytona Beach International Airport because it would be more feasible for promoting
38 eco-tourism, another 40,000 brochures have been ordered for distribution, there were Florida
39 Department of Transportation (FDOT) updates and there is a River of Lakes Corridor website with
40 links to Facebook and Twitter. She stated she also attended a meeting of the Round Table of
41 Volusia County Elected Officials that same day where water issues, beach driving, homelessness and
42 transportation were discussed. Lastly she attended the Volusia League of Cities Executive
43 Committee Meeting on Tuesday, January 13th where the committee discussed the dinner meeting in
44 DeBary, reaching out to more associates and getting more businesses to participate, forming a
45 Volusia County team to team up with a tri-county team from Seminole, Orange and Osceola
46 Counties to go to the Florida League of Cities Advocacy Days in Tallahassee.

47
48 Mayor Masiarczyk reported the Round Table of Volusia is still in a formative stage but sub-

committees have been set up and are meeting and trying to tackle homelessness, transportation, Votran and SunRail to bring that information back to the main body. He stated he also attended the Pat Northey Day event for her years of service in Enterprise, the open house for Bethune Cookman College and he thanked Vice Mayor Schleicher for being at the Martin Luther King (MLK) Celebration Breakfast as he could not attend due to family issues. He stated feedback is needed regarding Amendment 1 and he asked everyone to follow it closely as the environmental community who fought hard for this amendment is pushing to buy more land with the funds and many who supported that amendment were looking at it as a way to do environmental work on the systems the City has in place like stormwater issues. He stated the City has several ideas it will be moving forward with to have some of those funds set aside for upgrades in different cities.

Commissioner Herzberg stated she had invited Clay Henderson who was one (1) of the authors of Amendment 1 to come and tour the City's new wastewater treatment facility which is under construction and she also invited Senator Simmons to take the tour and both have agreed. She stated she understands the amendment is about purchasing lands but it is also about the cleanup that is much needed, so once these tours take place maybe the gentlemen will understand the City's challenges.

7. PUBLIC FORUM – Citizen comments for items not on the agenda.

a) Christine Gallagher, 590 Outrigger Drive, Deltona, gave an update on the Deltona Professional Firefighters' Local 2913 events that included hosting a car seat inspection that was very successful and she is hoping to be able to offer these inspections two (2) to three (3) times a year. She stated she attended the MLK Breakfast and she was proud to receive on behalf of Local 2913 the Humanitarian Award for services to the community.

Vice Mayor Schleicher stated it was an honor to be at the MLK Breakfast and see the firefighters receive the Gus Dowels Humanitarian Award. She congratulated Ms. Gallagher and the firefighters for the hard work done for the betterment of the community.

b) Smiley Thurston, 608 Saxon Blvd., Deltona, gave an update on searching for property that can be used for a parking facility for tractor trailers and he found a property owner, Gary Kelly, that has property between Sons of Italy and his business Kelly's Automotive that is vacant and fenced in with lighting and would entertain the possibility of it being used for truck parking as long as it does not cost him money and maybe produces enough money to pay the taxes.

c) Mike Williams, 2889 Cottageville Street, Deltona, asked that the records show what his comments were at the last City Commission Meeting and he asked the City Clerk to read his comments in the minutes which she did. He spoke about the MLK Breakfast and he thanked Mrs. Jackson for designing the cover and the layout for the program and he asked the City to have a State of the City Address like the County, State and Federal governments do. He introduced Mr. Donald Loring Brown who was the inspirational speaker at the MLK Breakfast and he spoke about him visiting the local schools and the Boys and Girls Club. He handed out programs for those who were not able to attend the MLK Breakfast but purchased tickets.

Mr. Brown stated he was bringing greetings from Boston, Massachusetts, and he reported on the state of the Deltona schools that he visited today where he entertained more than 1,000 young people from kindergarten through 12th grade. He stated it was a great day and he commented what a wonderful spirit

the City has.

8. CONSENT AGENDA: None.

9. ORDINANCES AND PUBLIC HEARINGS:

A. Public Hearing - Ordinance No. 34-2014, Firefighters Pension, at second and final reading.

Motion by Commissioner Honaker, seconded by Vice Mayor Schleicher to approve Ordinance No. 34-2014, at second and final reading.

Mayor Masiarczyk opened and closed the public hearing as there were no public comments.

City Attorney Becky Vose read the title of Ordinance No. 34-2014.

AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, AMENDING CHAPTER 46, ARTICLE II, FIREFIGHTERS' PENSION PLAN, OF THE CODE OF ORDINANCES OF THE CITY OF DELTONA BY AMENDING SECTION 46-31, CONTRIBUTIONS; AMENDING SECTION 46-33, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 46-35, DISABILITY; AMENDING SECTION 46-54, DEFERRED RETIREMENT OPTION PLAN; AMENDING SECTION 46-56, RETIREMENT SUBSIDY; ADDING SUBSECTION 46-57, MILITARY SERVICE PRIOR TO EMPLOYMENT; ADDING SECTION 46-58, PRIOR FIRE SERVICE; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

Motion carried with members voting as follows:

Commissioner Herzberg	For
Commissioner Honaker	For
Commissioner Nabicht	Abstained
Commissioner Smith	For
Commissioner Soukup	For
Vice Mayor Schleicher	For
Mayor Masiarczyk	For

Ordinance No. 34-2014 was adopted at 7:19 p.m.

10. OLD BUSINESS: None.

11. NEW BUSINESS:

A. Request approval of Resolution No. 2015-01; Platted Lands Reform Resolutions.

Mayor Masiarczyk explained that he and the Acting City Manager met with some citizens from Cape Coral, Florida which is a planned unit development like Deltona and the Commission has agreed to take every effort it can to be able to get as much of the funding from Amendment 1 that the City can and this is a resolution that talks to that and is a chance to join together with other platted

1 cities. He stated back when these cities were platted in the 50's and 60's there was no thought given
2 to the impact of what septic tank systems would have on water quality so the cities are banding
3 together and sending these resolutions on to the Legislature to try to lessen the impact and obtain
4 funds.

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6 Mayor Masiarczyk opened and closed the public hearing as there were no public comments.

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8 **Motion by Commissioner Nabicht, seconded by Vice Mayor Schleicher to adopt Resolution No.**
9 **2015-01 for Platted Lands Reform.**

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11 Mayor Masiarczyk read the title of Resolution No. 2015-01.

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13 **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA,**
14 **SUPPORTING EFFORTS TO OBTAIN ADDITIONAL FINANCIAL RESOURCES FROM**
15 **THE STATE OF FLORIDA FOR THE PROVISION OF WATER AND SEWER UTILITY**
16 **INFRASTRUCTURE TO IMPROVE THE ENVIRONMENTAL HEALTH OF DELTONA**
17 **AND OTHER INCORPORATED PRE-PLATTED COMMUNITIES; PROVIDING FOR AN**
18 **EFFECTIVE DATE.**

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20 Commissioner Smith stated she had a correction in the second to the last "Whereas" paragraph
21 change the word "coat" to "cost".

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23 **Motion carried unanimously with members voting as follows: Commissioner Herzberg, For;**
24 **Commissioner Honaker, For; Commissioner Nabicht, For; Commissioner Smith, For;**
25 **Commissioner Soukup, For; Vice Mayor Schleicher, For; and Mayor Masiarczyk, For.**

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27 Resolution No. 2015-01 was adopted at 7:23 p.m.

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29 **12. CITY ATTORNEY COMMENTS:** None.

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31 **13. CITY MANAGER COMMENTS:**

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33 **A. Lobbyist Update:**

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35 Mr. Baker stated the lobbyist gave a presentation on what the City is looking at in 2015 and he will
36 document the comments made by the Commission tonight and send those to him in a document that
37 he will share with the Commission. Mayor Masiarczyk added that the information will also be
38 shared with the public and included discussion about water issues, homelessness and senior citizen
39 services issues.

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41 **13. CITY COMMISSION COMMENTS:**

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43 a) Commissioner Smith gave an update on what she has been doing including meeting with staff to
44 familiarize herself with some of the departments, meeting with some residents in particular Mr. Peshan
45 regarding a final agreement on residential chickens, she met with some Enterprise and Osteen residents,
46 and she thanked Mr. Bowley, Mr. Paradise and Mrs. Vose for attending that meeting and helping to
47 come up with a resolution. She attended the MLK Breakfast and congratulated Mr. Williams, the
48 Deltona Dream Keepers and the planning committee on the event. She also congratulated the Deltona
49 firefighters for receiving the Humanitarian Award.

b) Commissioner Honaker spoke about attending the MLK Breakfast, he congratulated Derreasha Jones and Tia Dennis from Pine Ridge High School who placed 1st and 2nd Place in the MLK essay contest, he talked with Walmart, Lowes, Publix and Volusia County Schools about distributing fliers about free City events and he passed along the information to Mr. Baker. He asked that the Commission look at the sound ordinance and measuring equipment because the City's ordinance is weak on recreational vehicles like air boats that are a little loud for residential areas.

c) Commissioner Nabicht spoke about funding for a senior center and he asked that staff be directed to do a conceptual floor plan and a couple of elevations for the center. He stated Parks and Recreation has a needs assessment already done and the City needs to put something on paper showing what it wants to build. He suggested possibly having a workshop but stated the City needed to move forward with a document.

d) Commissioner Herzberg spoke about meeting with Congressman Mica at a meet and greet at his office which was very enlightening in regards to his goals for transportation, the way he gets things done, his awareness about the City's challenges and he has a lot of ideas for beautifying some of the City's corridors and entrances to the City. She also spoke about the League of Cities Dinner in DeBary this Thursday and the Concerned Citizens for Animal Welfare Meeting on Thursday, January 29th at 6:00 p.m. here in the Commission Chambers for caregivers and anyone interested in the trap, neuter, release program.

e) Commissioner Soukup spoke about attending the MLK Breakfast, he thanked the Parks Department taking care of the Fluminense Soccer Team from Brazil who was practicing at Dewey O. Boster Sports Complex this week and who played games at Disney's Wide World of Sports which he had the pleasure of attending. He hopes the City will extend a long term agreement with the teams from Brazil knowing the team left the field in Orange County to use the City's field and to build on sports tourism. He R.S.V.P.'d to Captain Brannon for the February 5th tour of the VSCO facilities.

f) Vice Mayor Schleicher spoke about attending the Pat Northey Day Celebration in Enterprise, meeting with Congressman Mica, attending the MLK Breakfast, the swearing in of Fred Lowry to the District 5 Volusia County Council seat and the chloramine workshop being very enlightening. She agreed with Commissioner Nabicht on the senior center being moved forward. She also spoke about attending the Team Volusia Annual Meeting next Thursday, that she wants a workshop to discuss the Commission Operating Guidelines and Procedures and she reminded everyone of the West Volusia Summit scheduled for February 21st in DeLand.

g) Mayor Masiarczyk thanked everyone for attending events including the ones outside of the City as it makes the City look good, he thanked staff for getting out information in more detail on the chloramine issue, he urged everyone to think about the beach driving issue and how it effects West Volusia and Deltona, and there being a group wanting to shut off two (2) miles in the main corridor and the fee increase associated with it. He stated the City needs to take a stand on this issue and he hopes residents will get information to the Commission so that the Commission knows where the residents stand. He stated Commissioner Honaker had brought up the issue of the Hwy 442 extension and he wanted to go into this in depth. He stated years ago he and Mayor Schmidt of Edgewater spoke about the Hwy 442 extension from I-95 to Hwy 415 or Howland Blvd., and he suggested the City needs to work with the City of Edgewater and move forward with a study. He stated Congressman Mica had set aside funds several years ago to do that study and nobody has asked for it to move forward and time is running out. He asked that staff come up with a suggestion that the City in cooperation with the City of

1 Edgewater can forward to Congressman Mica and the Florida Department of Transportation and that it
2 be copied to the Transportation Planning Organization (TPO). He stated either he or Commissioner
3 Nabicht will bring it up at the next TPO Meeting that the City is pursuing that issue and a formal letter
4 will be sent to the City of Edgewater.

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6 Commissioner Nabicht stated \$800,000 was set aside by Congressman Mica, the earmark will expire in
7 May and the funds cannot be re-appropriated for anything else.

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9 Mr. Baker stated he read the draft letter today and it will be going out.

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11 **14. ADJOURNMENT:**

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13 There being no further business, the meeting adjourned at 7:38 p.m.

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John Masiarczyk Sr., Mayor

18 **ATTEST:**

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Janet Day, Deputy City Clerk
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